



COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT

Tentative Notice of Action

Promoting the wise use of land
Helping build great communities

MEETING DATE July 7, 2006 LOCAL EFFECTIVE DATE July 22, 2006 APPROX FINAL EFFECTIVE DATE August 12, 2006	CONTACT/PHONE Mike Wulkan, Project Planner 805-781-5608	APPLICANT Peter Giannini	FILE NO. DRC2005-00131
SUBJECT Request by Peter Giannini for a Minor Use Permit/Coastal Development Permit to allow an approximately 1,050 square-foot addition to an existing, approximately 1,510 square-foot single-family dwelling, consisting of the following: addition of approximately 320 square feet to the first floor living area, addition of approximately 235 square feet to the existing garage, and addition of a new, approximately 500 square-foot second story. In addition, a portion of the existing garage is to be converted to a laundry room, and an existing bedroom and bathroom are to be converted to a den. The project will result in the disturbance of an additional approximately 800 square feet of an approximately 5,500 square-foot parcel. The proposed project is within the Residential Single Family land use category and is located at 372 Woodland Drive in the community of Los Osos. The site is in the Estero Planning Area.			
RECOMMENDED ACTION Approve Minor Use Permit/Coastal Development Permit DRC2005-00131 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.			
ENVIRONMENTAL DETERMINATION A Class 3 Categorical Exemption was issued on May 17, 2006 (ED05-448)			
LAND USE CATEGORY Residential Single-Family	COMBINING DESIGNATION Local Coastal Program, Archaeologically Sensitive Area	ASSESSOR PARCEL NUMBER 074,171,034	SUPERVISOR DISTRICT: 2
PLANNING AREA STANDARDS: Los Osos Urban Area: RSF #1: Height Limitations Los Osos Urban Area: #26: Upland Area, Setbacks <i>Does the project meet applicable Planning Area Standards? Yes - see discussion</i>			
LAND USE ORDINANCE STANDARDS: Section 23.01.043: Appeals to the Coastal Commission (Coastal Appealable Zone) Section 23.07.104: Archaeologically Sensitive Area Section 23.07.120: Local Coastal Program <i>Does the project conform to the Coastal Zone Land Use Ordinance Standards? Yes - see discussion.</i>			
FINAL ACTION This tentative decision will become the final action on the project, unless the tentative decision is changed as a result of information obtained at the administrative hearing or is appealed to the County Board of Supervisors pursuant Section 23.01.042 of the Coastal Zone Land Use Ordinance; effective on the 10th working day after the receipt of the final action by the California Coastal Commission. The tentative decision will be transferred to the Coastal Commission following the required 14-calendar day local appeal period after the administrative hearing. The applicant is encouraged to call the Central Coast District Office of the Coastal Commission in Santa Cruz at (831) 427-4863 to verify the date of final action. The County will not issue any construction permits prior to the end of the Coastal Commission process.			

EXISTING USES: Single story single-family dwelling with attached garage	
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Single Family Residential (SFR)/single-family residences <i>South:</i> SFR/ single-family residences <i>East:</i> SFR/single-family residences <i>West:</i> SFR/vacant, outbuildings	
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Los Osos Community Advisory Council, Public Works, CDF/County Fire, Los Osos CSD, Regional Water Quality Control Board, and the California Coastal Commission.	
TOPOGRAPHY: Gently sloping from south to north	VEGETATION: Grasses, ornamental trees and vegetation
PROPOSED SERVICES: Water supply: Golden State Water Sewage Disposal: Individual septic system Fire Protection: CDF/County Fire	ACCEPTANCE DATE: April 26, 2006
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242	

DISCUSSION

COASTAL ZONE LAND USE ORDINANCE STANDARDS:

Section 23.01.043: Appeals to the Coastal Commission (Coastal Appealable Zone)

The project is appealable to the Coastal Commission because the site is between the first public road and the ocean.

Section 23.07.104: Archaeologically Sensitive Area

A preliminary site survey is required prior to the issuance of a land use or construction permit in order to determine the likelihood of the existence of resources. In the event archaeological resources are discovered during construction, construction activities shall cease and the other standards specified in Section 23.05.140 shall apply. CRMS, a qualified professional consultant, conducted a Phase I Archaeological Surface Survey on March 3, 2006. The survey did not find evidence of cultural resources; however, due to poor surface visibility, the consultant recommends that a visual inspection be repeated after clearing of vegetation and preparation of the site for construction, but prior to the start of construction. The consultant's recommendation is included in the conditions of approval, which also require that in the event that archaeological resources are discovered during construction, construction activities shall cease, and the Planning and Building Department (and in the event of human remains, the County coroner) shall be notified so that resources can be recorded and their disposition handled in accordance with state and federal law. Therefore, as conditioned, the project complies with the Coastal Zone Land Use Ordinance standards for the Archaeologically Sensitive Area.

Section 23.07.120 - Local Coastal Program

The project site is located within the California Coastal Zone as established by the California Coastal Act of 1976, and is subject to the provisions of the Local Coastal Program.

COASTAL PLAN POLICIES:

The project is consistent with the Local Coastal Plan. The most relevant policies follow.

Shoreline Access: ☒ Policy No. 2: New Development
 Recreation and Visitor Serving: N/A
 Energy and Industrial Development: N/A

Commercial Fishing, Recreational Boating and Port Facilities: N/A
Environmentally Sensitive Habitats: N/A
Agriculture: N/A
Public Works: ☒ Policy 1: Availability of Service Capacity
Coastal Watersheds: N/A
Visual and Scenic Resources: ☒ Policy 2: Site Selection for New Development
Hazards: N/A
Archaeology: ☒ Policy 1: Protection of Archaeological Resources
Policy 4: Preliminary Site Survey
Air Quality: N/A

COASTAL PLAN POLICY DISCUSSION:

Shoreline Access

Policy 2, New Development: the proposed project is consistent with this policy that new development provide maximum public access from the nearest public roadway to and along the shoreline, with exceptions, because the site is not adjacent to the coast, there is no direct access from the site to the shoreline, and the project will not interfere with public access to the coast.

Visual and Scenic Resources

Policy 2, Site Selection for New Development: the proposed project is consistent with this policy because the proposed addition will not interfere with public views to the ocean.

Public Works

Policy 1, Availability of Service Capacity: the proposed project is consistent with this policy requiring adequate service capacities, because existing water service is being provided, and there will be no net increase in plumbing fixtures, consistent with the provisions of the prohibition on sewage discharge.

Archaeology

Policy 1, Protection of Archaeological Resources and Policy 4, Preliminary Site Survey: the proposed project is consistent with these policies to protect known and potential archaeological resources, and to require a preliminary site survey. A qualified professional conducted a Phase I Archaeological Surface Survey on March 3, 2006. The survey did not find evidence of cultural resources. The project conditions of approval require a visual inspection for cultural resources after clearing of vegetation and preparation of the site for construction, but prior to the start of construction. In addition, the conditions require protection of archaeological resources in the event that they are unearthed or discovered during construction.

Does the project meet applicable Coastal Plan Policies? Yes, as conditioned.

PLANNING AREA STANDARDS:

Los Osos Urban Area: RSF #1: Height Limitations

The proposed building height of approximately 26 feet is within the maximum building height of 28 feet, as measured from average natural grade.

Los Osos Urban Area: #26: Upland Area, Setbacks

The proposed addition meets the required setbacks for the Redfield Woods area, as follows:

	Required Setback	Proposed Setback	Status
Front	20'	20' (18' for proposed bay window)	O.K.
Side	5'	5' (east), 8' (west)	O.K.
Rear	5	30' (no addition on rear)	O.K.

COMMUNITY ADVISORY GROUP COMMENTS:

On March 23, 2006, the Los Osos Community Advisory Council (LOCAC) reviewed the proposed project and recommended approval, provided that: 1) no additional water fixtures (drains) are added, 2) existing water fixtures are retrofitted to be low-flow fixtures, 3) the size of the septic tank not be increased, and 4) the proposed second story is set back from the first story in order to provide a more pleasing appearance for the neighborhood. The following is in response to the LOCAC's recommendations:

- 1) There will be no net increase in plumbing fixtures, as the sink, toilet and tub in the proposed master bedroom will be offset by removal of a sink, toilet and shower in an existing bedroom that is to be converted to a den.
- 2) There is no county or Los Osos Community Service District ordinance that requires retrofitting of existing plumbing fixtures with remodeling of existing dwellings.
- 3) The septic tank will need to be of adequate size to serve the proposal (see Condition 8 in attached Exhibit B) in accordance with the Uniform Plumbing Code. A larger septic tank is actually more desirable, because it does a better job of cleaning effluent before it is discharged into the ground.
- 4) There is no basis to require an additional second story setback, because a) the site is not within a "small-scale neighborhood" or a "special community" where special consideration is given to visual compatibility, including the scale of new structures, and b) the proposed addition will not interfere with *public* views to and along the coast.

AGENCY REVIEW:

Public Works: recommend approval; encroachment permit required for driveway widening;

Building Division: no additional bedrooms, bathrooms or plumbing fixtures allowed on existing septic systems in the Prohibition Zone; structure must meet conventional construction, or architect/engineer is to provide structural calculations

Los Osos CSD: no comment

Regional Water Quality Control Board: no comments submitted prior to preparation of this staff report

California Coastal Commission: no comments submitted prior to preparation of this staff report

STAFF COMMENTS:

The proposed project consists of expanding an existing living room and garage, adding a new master bedroom on the second floor, converting an existing bedroom and bathroom into a den, and converting a portion of the existing garage into a laundry room without adding plumbing fixtures. The proposed project meets the local and Regional Water Quality Control Board requirements for new development within the Prohibition Zone, because there will be no net increase in plumbing fixtures, and no increase in the number of bedrooms or living rooms. In addition, the proposed new rooms will provide adequate openings to the rest of the house.

LEGAL LOT STATUS:

The existing lot was legally created by a recorded map at a time when that was a legal method of creating lots, and is also considered a legal lot by virtue of existing development (*Lot 17, Block 3, Redfield Woods*).

Staff report prepared by Mike Wulkan

EXHIBIT A - FINDINGS

CEQA Exemption

- A. The project qualifies for a Categorical Exemption (Class 3) pursuant to CEQA Guidelines Section 15303, because the proposed project is included in the class that consists of new construction of small structures, including a single-family residence in a residential zone, and accessory structures such as a garage.

Minor Use Permit

- B. The proposed project or use is consistent with the San Luis Obispo County General Plan, because a single-family residence is an allowable use, and as conditioned, is consistent with all of the General Plan policies, including policies for archaeology.
- C. As conditioned, the proposed project or use satisfies all applicable provisions of Title 23 of the County Code.
- D. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use, because the construction of an addition to an existing single-family residence does not generate activity that presents a potential threat to the surrounding property and buildings. This project is subject to Ordinance and Building Code requirements designed to address health, safety, and welfare concerns.
- E. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development, because it is an addition to an existing single-family residence that is similar in nature to, and will not conflict with, the surrounding lands and residential uses, including an adjacent two-story single-family dwelling.
- F. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project, because the proposed addition will result in an insignificant or no increase in traffic.

Coastal Access

- G. The proposed use is in conformity with the public access and recreation policies of Chapter 3 of the California Coastal Act, because the project is not adjacent to the coast and will not inhibit access to the coastal waters and recreation areas.

EXHIBIT B - CONDITIONS OF APPROVAL

Approved Development

1. This approval authorizes development of an approximately 1,050 square-foot addition to an existing, approximately 1,510 square-foot single-family dwelling. The addition consists of the following: addition of approximately 320 square feet to the first floor living area, addition of approximately 235 square feet to the existing garage, and addition of a new, approximately 500 square-foot second story. In addition, a portion of the existing garage is to be converted to a laundry room, and an existing bedroom and bathroom are to be converted to a den.
2. The maximum height shall be 28 feet (as measured from average natural grade).
3. All development shall be consistent with the approved site plan, floor plans, and elevations.

Conditions required to be completed at the time of application for construction permits

Site Development

4. **At the time of application for construction permits**, plans submitted shall show all development consistent with the approved site plan, floor plan, and architectural elevations. The minimum front setback shall be 20 feet.
5. **At the time of application for construction permits**, the applicant shall provide details on any proposed exterior lighting. The details shall include the height, location, and intensity of all exterior lighting. All lighting fixtures shall be shielded so that neither the lamp nor the related reflector interior surface is visible from adjacent properties. Light hoods shall be dark colored.

Fire Safety

6. **At the time of application for construction permits**, all plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements of the California Fire Code. Requirements shall include, but not be limited to those outlined in a Fire Safety Plan to be obtained from the CDF/County Fire Department for this proposed project.

Services

7. **At the time of application for construction permits**, the applicant shall provide a letter from Golden State Water Co. stating that they are willing and able to service the property.

Building and Construction Ordinance

8. **At the time of application for construction permits**, the applicant shall submit evidence that the existing septic system is to be properly abandoned, and that the relocated septic system is adequate to serve the proposal and meets required setbacks.

Conditions to be completed prior to issuance of a construction permit

Fees

9. **Prior to issuance of a construction permit**, the applicant shall pay all applicable school and public facilities fees.

Public Works

10. **Prior to issuance of a construction permit**, the applicant shall obtain an encroachment permit from the Public Works Department for the proposed driveway widening.

Condition to be completed after site preparation and vegetation clearing, and prior to construction.

11. **After site preparation and vegetation clearing, and prior to the start of construction**, the applicant shall retain a qualified archaeologist, approved by the Environmental Coordinator, to observe the area of proposed development after it has been cleared of vegetation. Prior to construction, the archaeologist's written findings and recommendations shall be submitted to the Environmental Coordinator for approval, and the applicant shall implement the recommendations of the archaeologist, as required by the Environmental Coordinator.

Conditions to be completed during project construction

Building Height

12. The maximum height of the project is 28 feet as measured from the average natural grade. Prior to approval of the roof nailing inspection, the applicant shall provide the building inspector with documentation that gives the height reference, the allowable height, and the actual height of the structure. A licensed surveyor or civil engineer shall prepare this certification.

Archaeology

13. In the event archaeological resources are unearthed or discovered during any construction activities, the following standards apply:
 - a. Construction activities shall cease and the Environmental Coordinator and Planning Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.
 - b. In the event archaeological resources are found to include human remains, or in any other case where human remains are discovered during construction, the County Coroner is to be notified in addition to the Planning Department and Environmental Coordinator so that proper disposition may be accomplished.

Conditions to be completed prior to final building inspection

Fire Safety

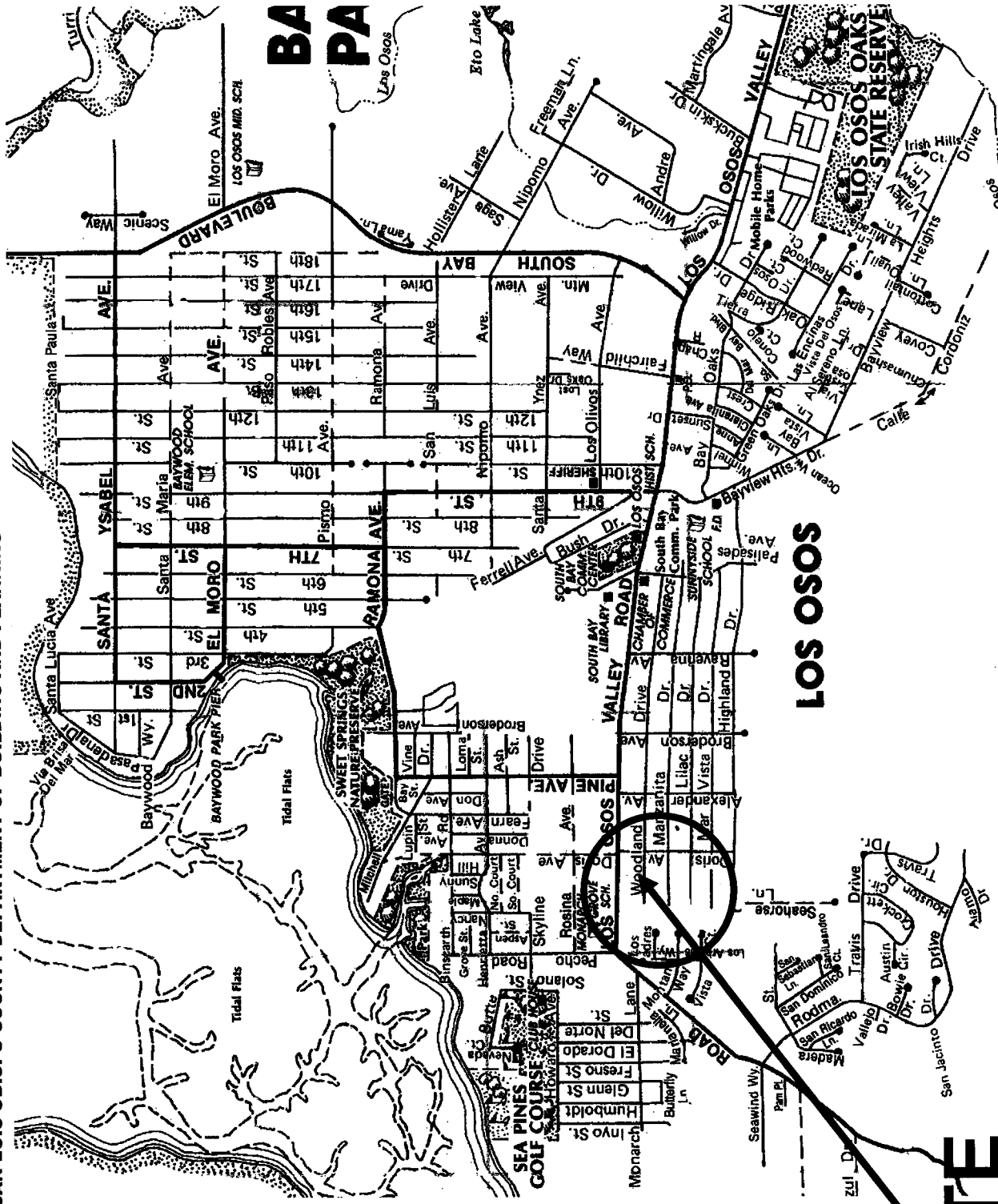
14. Prior to final inspection, the applicant shall obtain final inspection and approval from CDF/County Fire for all required fire/life safety measures.

Miscellaneous

15. Prior to occupancy of any structure associated with this approval, the applicant shall contact the County Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.

On-going conditions of approval (valid for the life of the project)

16. This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Coastal Zone Land Use Ordinance Section 23.02.050 or the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Coastal Zone Land Use Ordinance Section 23.02.042 as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade.
17. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 23.10.160 of the Coastal Zone Land Use Ordinance.



SITE

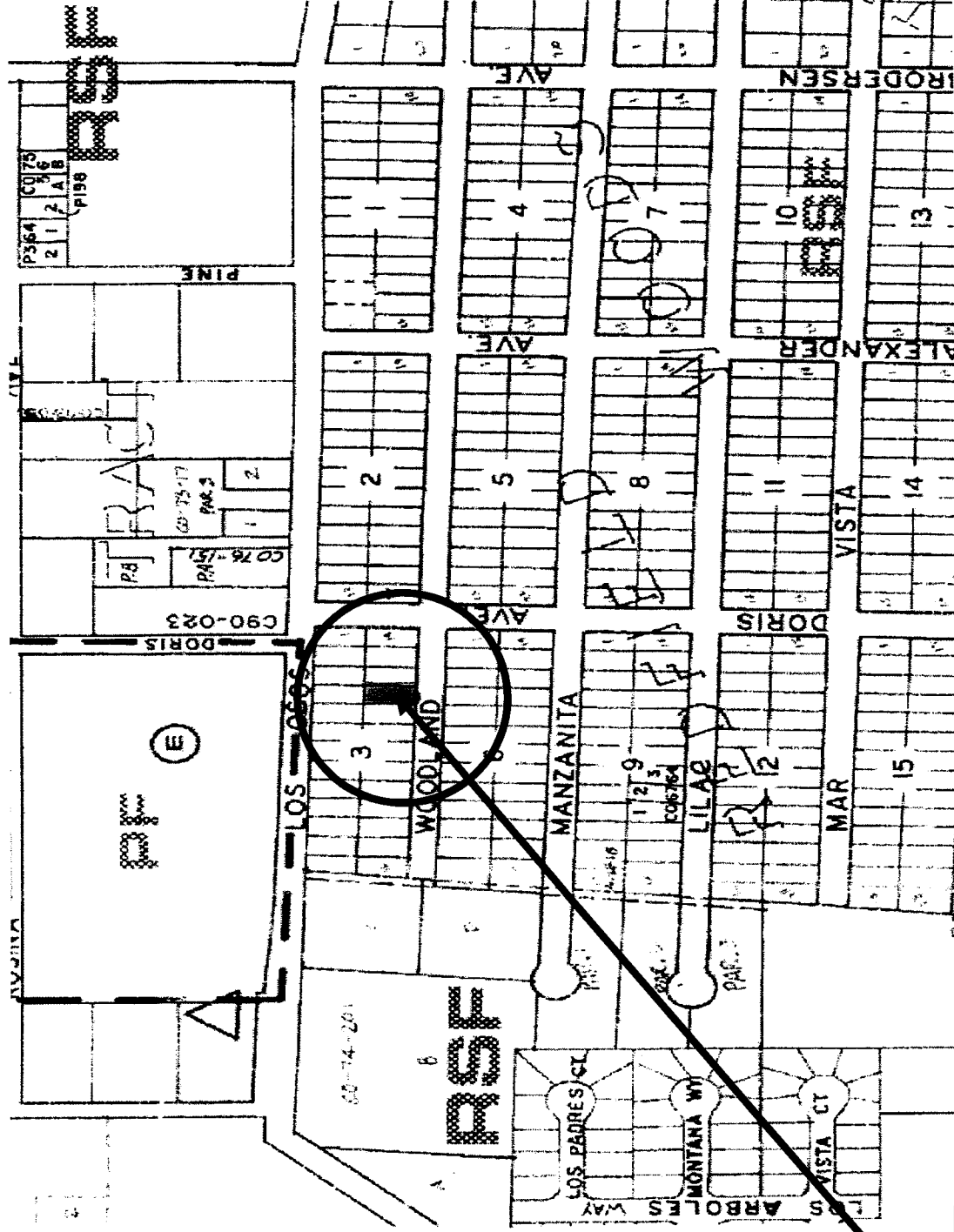
PROJECT

Minor Use Permit
Giannini DRC2005-00131

EXHIBIT

Vicinity Map





SITE

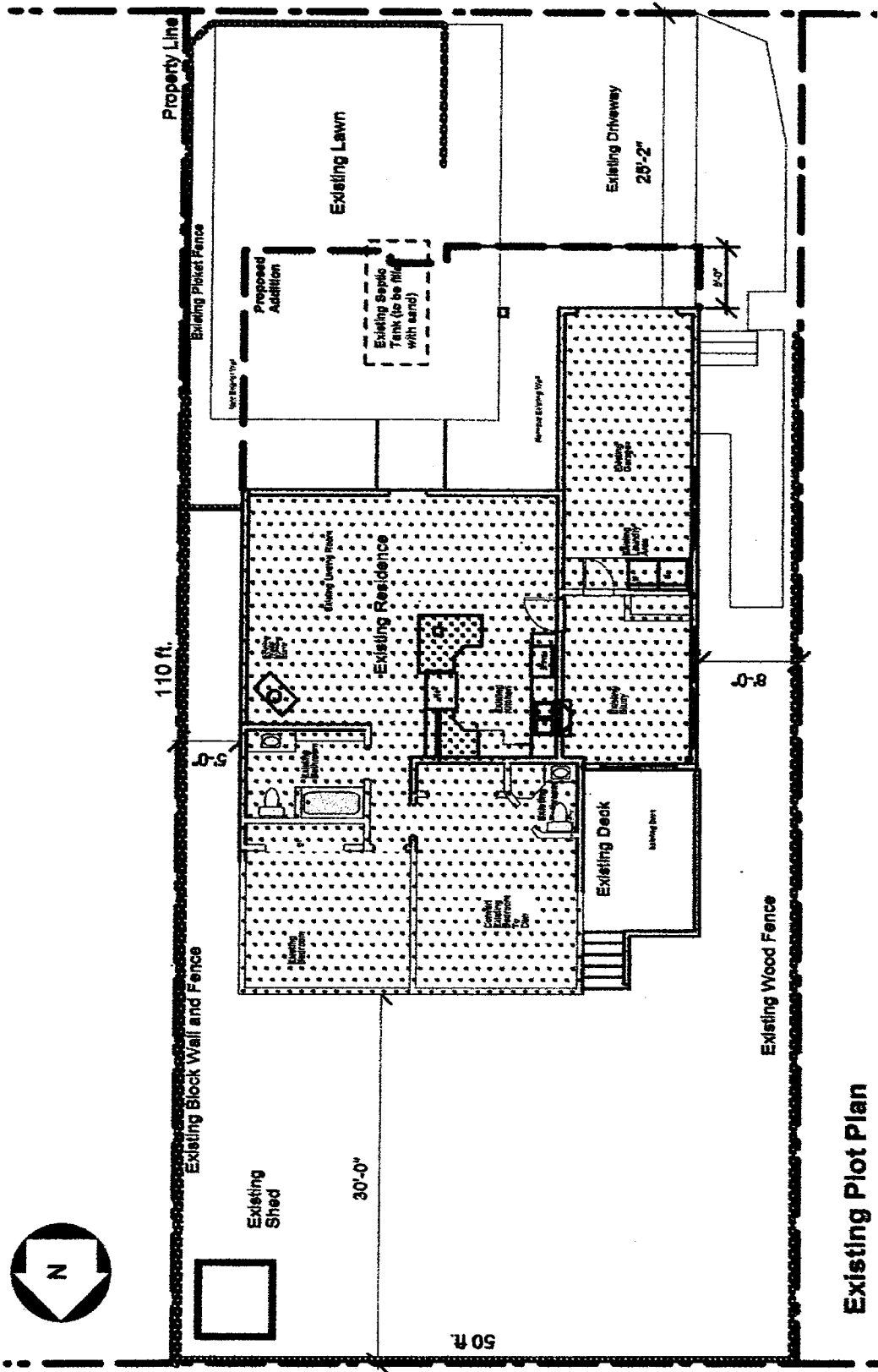
PROJECT

Minor Use Permit
Giannini DRC2005-00131

EXHIBIT

Land Use Category





Existing Plot Plan

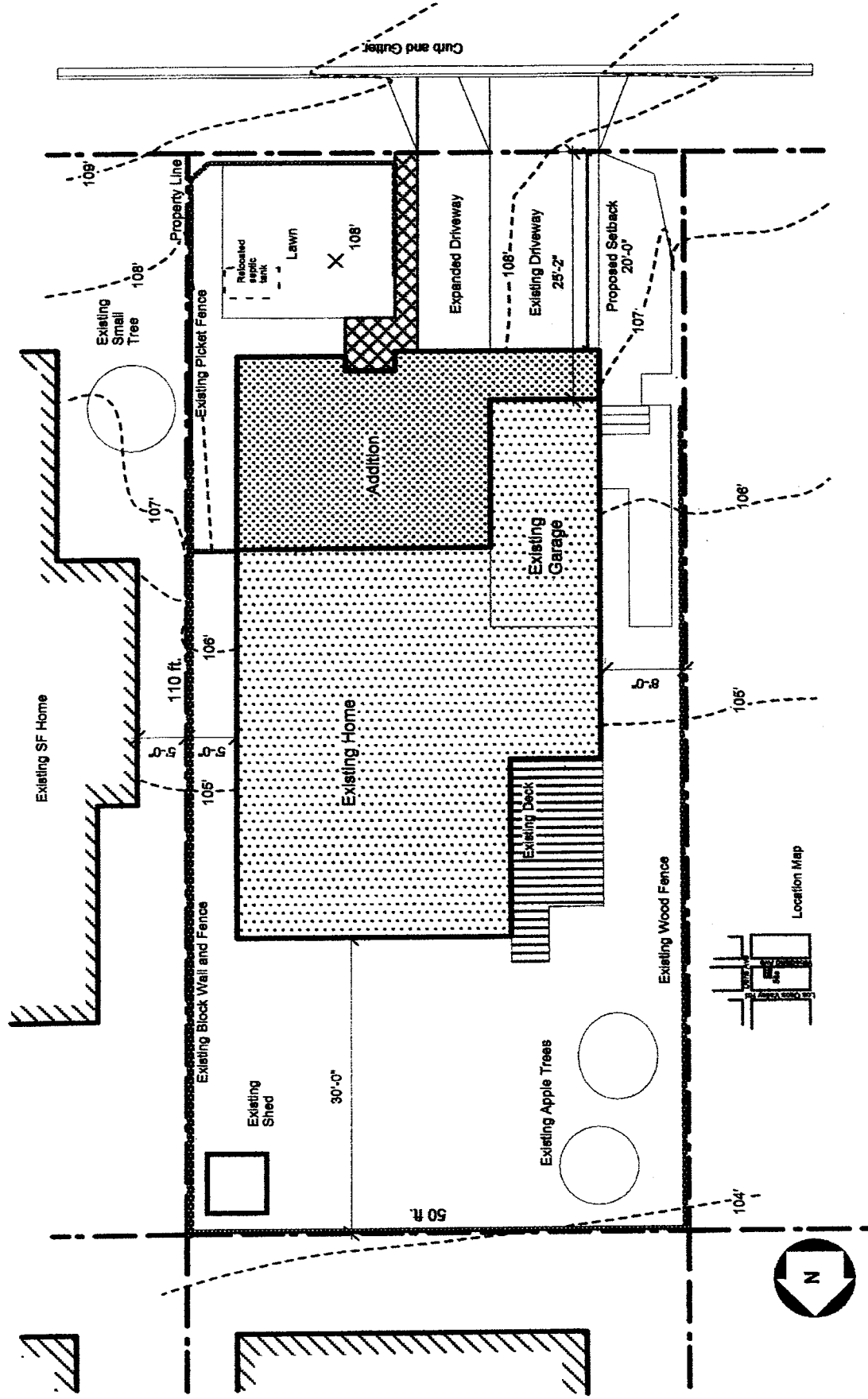
PROJECT

Minor Use Permit
Giannini DRC2005-00131

EXHIBIT

Existing Site Plan





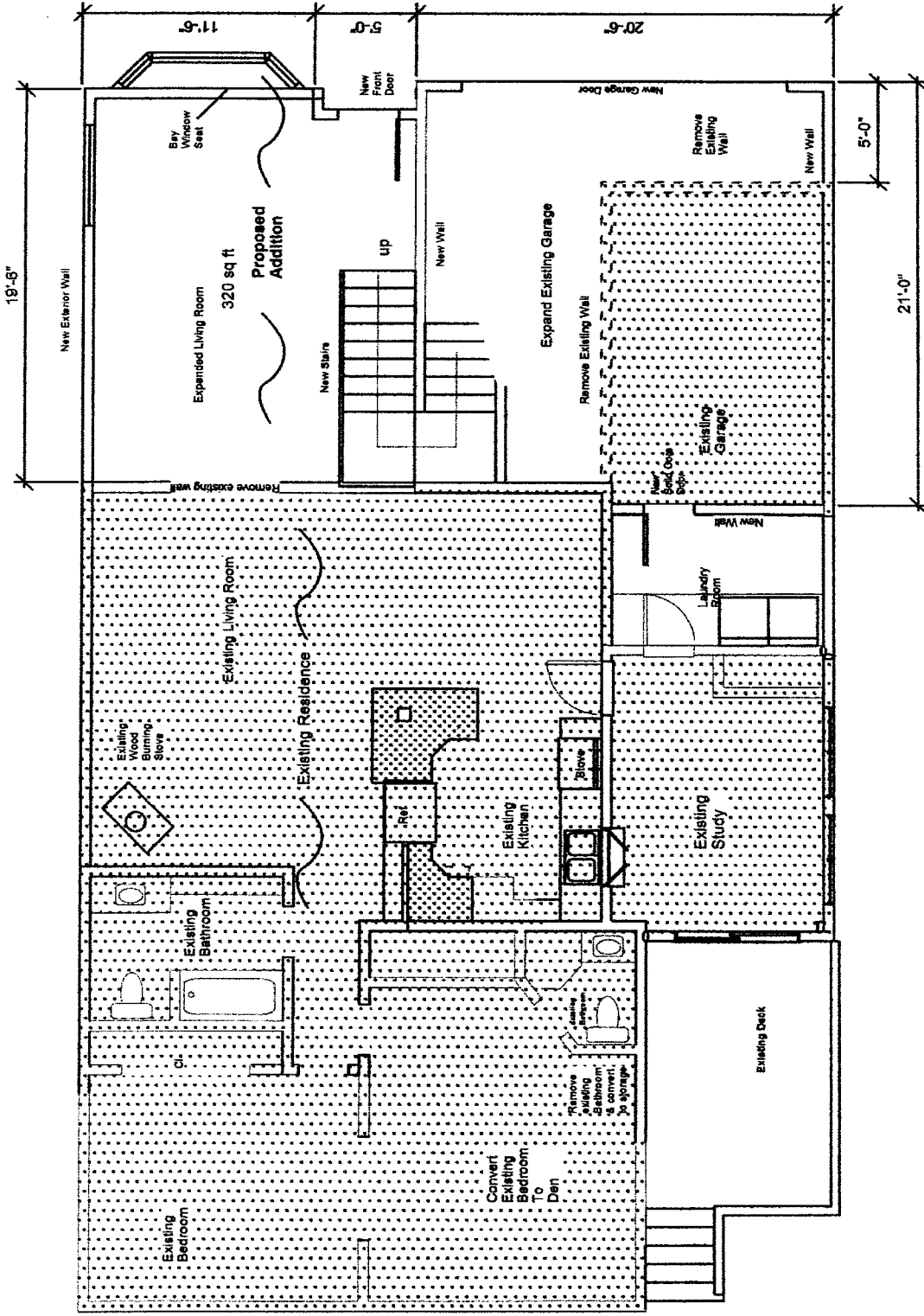
EXHIBIT

Proposed Site Plan



PROJECT

Minor Use Permit
Giannini DRC2005-00131



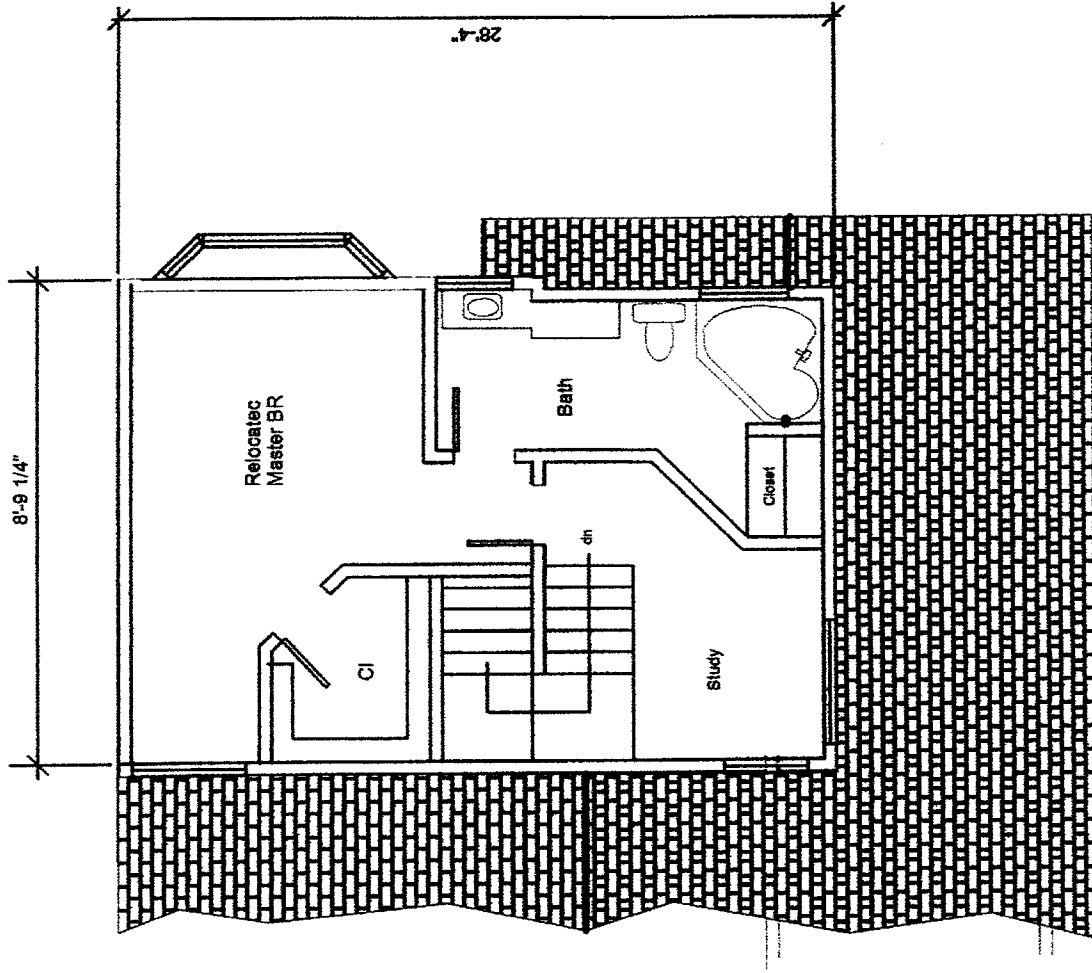
PROJECT

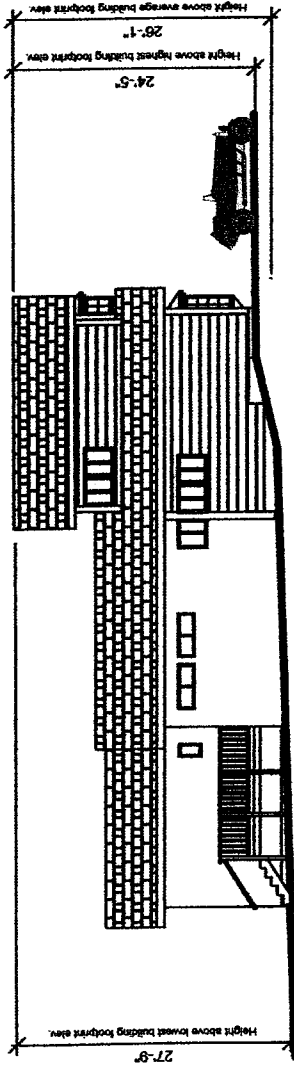
Minor Use Permit
Giannini DRC2005-00131



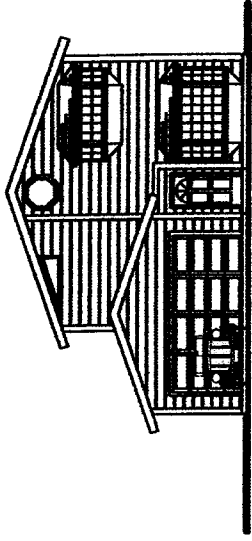
EXHIBIT

First Floor Plan



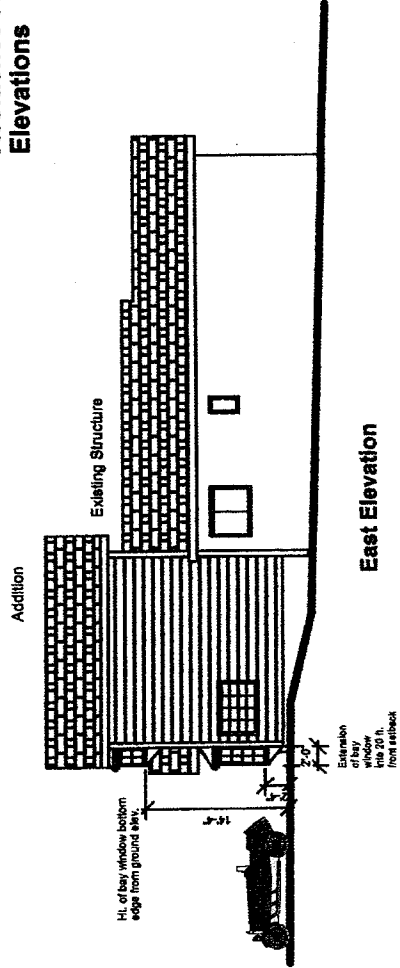


West Elevation

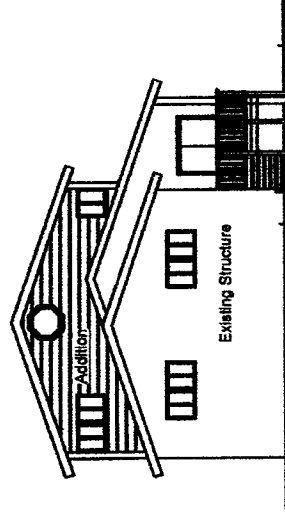


South (Front) Elevation

Residence Remodel Elevations



East Elevation



North Elevation

PROJECT

Minor Use Permit
Giannini DRC2005-00131

EXHIBIT

Elevations



LOS OSOS COMMUNITY ADVISORY COUNSEL PROJECT REFERRAL RESPONSE

File Number: DRC2005-00131

Date: 3/23/2006

Planner: Mike Wulkan

Applicant: Giannini

Address: 372 Woodland Dr.

Project – Convert existing bedroom/bathroom (255 sq.ft.) to den removing bathroom. Convert 85 sq.ft. of existing garage to laundry room and move existing laundry area. Expand garage to 235 sq.ft.. Expand living room to 320 sq.ft. Add 490 sq.ft. second level with master bedroom, bathroom and study.

Committee Recommendation – This referral be approved with the following conditions:

Los Osos Community Advisory Counsel Recommendation:

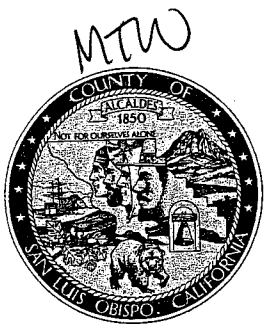
Our vote was unanimous that we recommend approval of the project, with the following conditions:

- a. No additional water fixtures(drain) be added – remove two from plan.
- b. Retrofit existing water fixtures to low flow.
- c. No increase in size of existing septic tank.
- d. An additional setback for the proposed second story would provide a more pleasing appearance for the neighborhood.

Send copy of the staff report for the project: Yes

Send notice of public hearing for the project: Yes

Send notice of the final action for the project: Yes



SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

DATE: 1/24/06

TO: Bldg. Div.

FROM: ☐ - South County Team ☐ - North County Team ☐ - Coastal Team

PROJECT DESCRIPTION: File Number: DRC 2005-00131 Applicant: Giannini
mup -> addition to existing SFR. Located off
Woodland Dr. in Los Osos. APN: 074-171-034.

Return this letter with your comments attached no later than: 2/9/06

PART 1 - IS THE ATTACHED INFORMATION ADEQUATE TO COMPLETE YOUR REVIEW?

- ☐ YES (Please go on to PART II.)
☐ NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II - ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

- ☐ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter)
☐ NO (Please go on to PART III)

PART III - INDICATE YOUR RECOMMENDATION FOR FINAL ACTION.

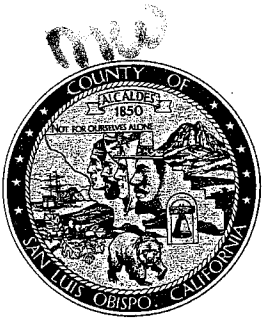
Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial.

IF YOU HAVE "NO COMMENT," PLEASE SO INDICATE, OR CALL.

Verify if the information is then must plan the project
no bed constraints
no new roadways. Needs floor plan of existing & new
structure must meet conventional code or architect/engineer guidelines
1/31/06 J. Szabo 25725
Date Name Phone

COUNTY GOVERNMENT CENTER • SAN LUIS OBISPO • CALIFORNIA 93408 • (805) 781-5600

EMAIL: planning@co.slo.ca.us • FAX: (805) 781-1242 • WEBSITE: <http://www.sloplanning.org>



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SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

2006 2 5 2006

VICTOR HOLANDA, AICP
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

DATE: 1/24/06

TO: RC

FROM: ☐ - South County Team ☐ - North County Team ☐ - Coastal Team

PROJECT DESCRIPTION: File Number: DRC 2005-00131 Applicant: Giannini
mup -> addition to existing SPR. Located off
Woodland Dr. in Los Osos. APN: 074-171-034.

Return this letter with your comments attached no later than: 2/9/06

PART 1 - IS THE ATTACHED INFORMATION ADEQUATE TO COMPLETE YOUR REVIEW?

☒ YES
☐ NO

(Please go on to PART II.)

(Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II - ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☒ YES

(Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter)

☐ NO

(Please go on to PART III)

PART III - INDICATE YOUR RECOMMENDATION FOR FINAL ACTION.

Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial.

IF YOU HAVE "NO COMMENT," PLEASE SO INDICATE, OR CALL.

Encroachment Permit required for driveway
modif widening. Recommend approval.

2-2-6
Date

Victor Holanda
Name

5271
Phone



MEMORANDUM

TO: Department of Planning and Building
Coastal Team

FM: George J. Milanés, Utilities Manager

GM 1/31/06

RE: Project Referrals

DATE: January 31, 2006

Project Number/Name

DRC 2005-00131 / Giannini

No Comment



SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

RECEIVED
JAN 26 2006

DATE: 1/24/06
TO: LOS OSOS CSD

BY: [Signature]

FROM: ☐ - South County Team ☐ - North County Team ☐ - Coastal Team

PROJECT DESCRIPTION: File Number: DRC 2005-00131 Applicant: Giannini
mwp -> addition to existing SPR. Located off
Woodland Dr. in Los Osos. APN: 074-171-034.

Return this letter with your comments attached no later than: 2/9/06

PART I - IS THE ATTACHED INFORMATION ADEQUATE TO COMPLETE YOUR REVIEW?

☒ YES
☐ NO

(Please go on to PART II.)
(Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II - ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☐ YES

(Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter)

☒ NO

(Please go on to PART III)

PART III - INDICATE YOUR RECOMMENDATION FOR FINAL ACTION.

Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial.

IF YOU HAVE "NO COMMENT," PLEASE SO INDICATE, OR CALL.

No Comment

1/26/06
Date

[Signature]
Name

528-9376
Phone

